

### REMARKS

The above amendments and following remarks are submitted under 37 C.F.R. 1.116 within the 60 day priority period in response to the Final Office Action of the Examiner mailed August 11, 2005. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance. Entry of these amendments and reconsideration to that end is respectfully requested.

Even though most of the claims have been rejected on a new ground of rejection involving the application of newly cited prior art, the Examiner has kindly commented upon Applicants' previous arguments to the extent applicable to the new ground of rejection. Applicants wish to express their gratitude for this gesture by the Examiner which is deemed most helpful in understanding the differences which are still present within the respective positions of the Examiner and Applicants.

Claims 1-5 and 11-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,330,630, issued to Bell (hereinafter referred to as "Bell") in view of U.S. Patent No. 5,881,294, issued to Downey et al (hereinafter referred to as "Downey") and further in view of U.S. Patent No. 6,047,348, issued to Lentz et al (hereinafter referred to as "Lentz"). The rejection of claims 1-5 and 11-20 is respectfully traversed for failure of

the Examiner to present a *prima facie* case of obviousness as specified by MPEP 2143.

To present a *prima facie* case of obviousness in accordance with the requirements of MPEP 2143, the Examiner has the burden of presenting evidence and making arguments to show: 1) motivation to make the alleged combination; 2) reasonable likelihood of success of the alleged combination; and 3) all claimed elements within the alleged combination. The Examiner has simply not met his burden of proof in regard to any of these three required showings.

Applicants have previously supplied their arguments with regard to the alleged lack of motivation to combine Bell and Downey. To the Examiner's failure to meet his legal obligation with regard to motivation to combine Bell and Downey, the Examiner now alleges the further combination with Lentz, even though Lentz does not address I/O operations over a PCI bus, which is the basic subject matter of Bell and Downey. Again, with regard to the obligation of the Examiner to address "reasonable likelihood of success", the record is silent. The Examiner has simply ignored this requirement.

The third required showing is that the alleged combination have all of the claimed elements. Applicants have previously explained why the alleged combination of Bell and Downey do not meet the claimed elements of independent claims 1, 11, and 16. Nevertheless, independent claims 1, 11, and 16 have been further

amended to replace the more general "multiplexing" with the more specific "alternately selecting". Support for these amendments can be found throughout Applicants' disclosure and more particularly in Fig. 7 and accompanying description at page 11, lines 4-20.

These amendments explicitly require alternation of the transfers. The Examiner clearly erroneously alleges:

.....Lentz, who teaches a selector connecting the first bus to the third and second interfaces (e.g., Figure 2, "215", "217"), and the second bus to the first and second interfaces (e.g., Figure 4).

The statement is clearly erroneous, because it cites Fig. 2 which shows "writing" data (see column 2, lines 52-53) and Fig. 4 which shows "reading" data (see column 2, lines 56-57). Clearly Fig. 2 and Fig. 4 are not associated with the same transfer as is required by the claim.

As a result, the Examiner has not made any of the three showings required by MPEP 2143 to present a *prima facie* case of obviousness. Applicants have previously made their arguments with regard to the rejection of claims 2-5, 12-15, and 17-20.

Thus, the rejection of amended claims 1-5 and 11-20 are respectfully traversed for failure of the Examiner to make any of the three showings required by MPEP 2143 to present a *prima facie* case of obviousness.

Claims 6-10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in view of Lentz. In response thereto,

claims 6-10 have been amended as suggested by the Examiner. Specifically, claim 6 has been amended to limit the claimed "multiplexing" to "switching" inputs and outputs of the claimed data busses by "alternatively selecting" . Though support for this added limitation is found throughout Applicants' disclosure, particular attention to the subject is given in Fig. 7 and associated discussion at page 11 of the specification.

Clearly, the "alternatively selecting" limitation distinguishes over the alleged combination of Bell with Lentz for the reasons provided in detail above. The rejection of claim 6, as amended, and all claims depending therefrom, is respectfully traversed.

Applicants have previously made their arguments concerning the independent patentability of claims 7-10 which depend from claim 6. Because of the further limitations to claim 6 from which claims 7-10 depend, it is assumed that the Examiner will now find the claimed combinations therein independent patentable as has been previously argued.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, as amended, being the only pending claims.

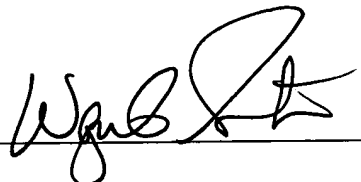
Please charge any deficiencies or credit any overpayment to  
Deposit Account No. 14-0620.

Respectfully submitted,

Lloyd E. Thorsbakken et al.

By their attorney,

Date October 11, 2005

A handwritten signature in dark ink, appearing to read 'Wayne A. Sivertson', is written over a horizontal line.

Wayne A. Sivertson  
Reg. No. 25,645  
Suite 401  
Broadway Place East  
3433 Broadway Street N.E.  
Minneapolis, MN 55413  
(612) 331-1464